

DHCD – Division of Building and Fire Regulation
2006 Code Change Cycle

COMPILATION DOCUMENT
(of all code changes received with staff evaluations)

PART VI

Code changes beginning with a “C” are to the Virginia Construction Code; with an “M” are to the Virginia Maintenance Code; with an “F” are to the Virginia Statewide Fire Prevention Code; with an “I” are to the Virginia Industrialized Building Safety Regulations; with an “A” are to the Virginia Amusement Device Regulations, and with a “CS” are to the Virginia Certifications Standards. The order is as follows: C – M – F – I – A – CS.

PART I contains page numbers 1 – 99 and code changes C-103.1 – C-310.6(R408.1)

PART II contains page numbers 100 – 199 and code changes C-310.6(R602.3) – C-408.8

PART III contains page numbers 200 – 303 and code changes C-503 – C-2803.1(M701.1)

PART IV contains page numbers 304 – 408 and code changes C-2804.1(FG310.1) – C-3501.1-c

PART V contains page numbers 409 – 502 and code changes C-3501.1-d – F110.1

PART VI contains page numbers 503 – 606 and code changes F-111.1 – CS-41

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VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-111.1**

Nature of Change: (text is on code change form)

To clarify the provisions of the Statewide Fire Prevention Code relating to appeals, approved plans and notices and orders.

Proponent: Sarah Pitkin

Staff Comments:

The code change proposes six changes to the SFPC. Staff has marked the code change form to indicate each change using parentheses and staff comments are correlated. This proposal was not received in time to be considered by the workgroups used in this code change process.

Change (1): The SFPC includes operational requirements in addition to maintenance requirements, so adding the term “maintenance” to Section 111.1 would create a conflict.

Change (2): The right of appeal language has been in the USBC for several editions now and probably should also be in the SFPC.

Change (3): This language is specific to the USBC and is inappropriate in the SFPC as it is based on statutes only applicable to the USBC.

Change (4): Staff sees no problem with adding this language.

Change (5): Regardless of whether this language is present, compliance with the code is still required. The proponent is not clear on the reason for requesting its deletion.

Change (6): The suggested language mostly relates to code changes, which are not within the purview of the SFPC. To the extent that the suggested language relates to the issuance of orders, it would seem extreme to require orders issued to be published in newspapers.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 - 7150 Fax No. (804) 371 - 7092 Email: bhcd@dhcd.virginia.gov		Document No. <u>F-111.1</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Dr. Sarah Pitkin **Representing:** Citizen

Address: 10500 Moore Dr. Manassas, VA 20111 **Phone No.** 703-369-6527

Regulation Title: 13 VAC 5-51. Virginia Statewide Fire Prevention Code
Section No(s): amendment/additions to 13 VAC 5-51-41. Section 111.0
deletion of Section J. 107.8 of the VSFPC
amendment/addition of Section 106.6

Proposed Change:

Amendment/additions to Sections 111.1 through 111.3 (modifications are sections that are underlined)

111.1. ⁽¹⁾**Notice.** When the fire official discovers an alleged violation of a maintenance provision of the SFPC or other codes or ordinances under the fire official's jurisdiction, the fire official shall prepare a written notice citing the section allegedly violated, describing the condition deemed unsafe and specifying time limitations for the required abatements to be made to render the structure or premises safe and secure.

(2) ADD: The notice of violation shall indicate the right of appeal by referencing the appeals section.

(3) ADD: Section 111.1.1 Notice not to be issued under certain circumstances. When violations are discovered more than two years after the certificate of occupancy is issued or the date of initial occupancy, which ever occurred later, or more than two years after the approved final inspection for an alteration or renovation, a notice of violation shall only be issued upon advice from the legal counsel of the locality. Section 36-106 of the Code of Virginia shall dictate the requirements and criteria pertaining to legal action relative to violations of the VSFPC.

111.2. **Service.** The written notice of violation of this code shall be served upon the owner, a duly authorized agent or upon the occupant or other person responsible for the conditions under violation. Such notice shall be served either by delivering a copy of same to such persons by mail to the last known post office address, by delivering in person or by delivering it to and leaving it in the possession of any person in charge of the premises, or, in the case such person is not found upon the

premises, by affixing a copy thereof in a conspicuous place at the entrance door or avenue of access. Such procedure shall be deemed the equivalent of personal notice.

111.3. Failure to correct violations. If the notice of violation is not complied with within the time specified

- (4) ADD: or the process of appeal has not been started,
the fire official shall request the legal counsel of the local governing body to institute the appropriate legal proceedings to restrain, correct or abate such alleged violation.

Delete Section 107.8

- (5) ~~J. 107.8. Approved plans: Plans approved by the fire official are approved with the intent that they comply in all respects to this code. Any omissions or errors on the plans do not relieve the applicant of complying with all applicable requirements of this code.~~

Amendment/Addition to Section 106.6

- (6) **106.6. Notices and orders.** The fire official shall issue all necessary notices or orders to ensure compliance with the SFPC. The fire officials shall disseminate code change information through local newspapers, Chambers of Commerce, builders' organizations, volunteer fire officials, libraries, and persons are directly impacted within 2 months of code changes. Notices and orders shall be issued within appropriate channels to include newspapers, Chambers of Commerce, volunteer fire organizations, and to persons who are directly impacted within 24 hours of the issue of the notice or order.

Supporting Statement:

Rationale: The Virginia Statewide Fire Prevention Code (VSFPC) should include the protective provisions similar to those found in the Building Code of Virginia 13-VAC 5-63-150 Section 115. The current edition and the proposed changes of the VSFPC do not include all of these necessary protections for the citizens of the Commonwealth. As citizens, we pay for permitting fees and are subject to inspections by the Fire Marshal's office in the same manner that we pay for and are subject to Building Code and Inspection fees. We are subject to annual inspections to ensure we maintain our fire suppression and protection equipment/devices, which are wholly correctable violations. Therefore, any and all systems which were approved of and inspected during occupancy permitting should be afforded the same protections of 13VAC 5-63-150 and Section 36-106 of the Code of Virginia.

In an effort to proactively promote fire protection while keeping the public informed, the local fire officials should disseminate notices, orders, and changes in the codes to local organizations through numerous channels that are accessible to the general public. These channels should include local Chambers of Commerce, builders' organizations, volunteer fire organizations, and libraries, as well as to persons who are directly affected by the code changes.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change Nos. F-202-a, F-202-b, F-405.2 and F-907.9.3**

Nature of Changes: (text is on code change forms)

To add definitions of night clubs, etc. and overcrowding, to lessen the fire drill requirements in schools and to require fire alarm panels to indicate the location of the signal initiating device.

Proponent: State Fire Chiefs

Staff Comments:

These changes were considered at several meetings of the Fire Services Board Code Committee where questions were raised concerning whether they were current proposals as the proposals were drafted by a member of the organization who is now retired. The proposals were not forwarded through the work group process utilized in this code change cycle.

Staff notes a number of concerns with the proposals. The definition proposals do not provide actual language for the definitions and suggest, in the case of overcrowding, that commentary language from the International Fire Code Commentary be used. While the fire drill change may have merit, creating a different frequency of drills based on the degree of fire protection features in a building may cause non-uniformity and may create confusion among jurisdictions attempting to have uniform requirements. The fire drill provision has already been modified due to legislation to not require fire drills during periods of mandatory testing required by the Virginia Board of Education. The proposal for a fire alarm panel to indicate the location of the trouble signal initiating device raises concerns about requiring the installation of new panels, which may go beyond the scope of the code as a maintenance code.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
(Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>	<p>Document No. <u>F-202-a</u></p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: <u>William R. Smith</u> Representing: <u>Virginia State Fire Chiefs</u></p> <p>Address: <u>2408 Courthouse Drive, Virginia Beach, VA 23456-9065</u> Phone No.: <u>757-385-8584</u></p> <p>Regulation Title: <u>Statewide Fire Prevention Code</u> Section No(s): <u>202 Definitions</u></p>	
<p>Proposed Change: Add a definition for <u>night club, tavern, bar and dance hall within the Fire Prevention and Building Codes</u></p>	
<p>Supporting Statement:</p> <p>The code uses the terminology nightclub, tavern, bar and dance hall in the building, fire and plumbing code with no clear definition as to what a nightclub, tavern, bar or dance hall is. Restaurant is clearly defined as: <i>An establishment that sells prepared food for consumption. Restaurants shall be classified as follows: Restaurant, fast food. An establishment that sells food already prepared for consumption, packaged in paper, styrofoam or similar materials, and may include drive-in or drive-up facilities for ordering.</i> The code is ambiguous when it comes to defining a night club, tavern, bar or dance hall. This is a very important definition considering the tragedy in Rhode Island and the effort put forth through the Governor's Fire and Life Safety Committee for Night Clubs. Most localities are struggling with the change from the legacy code that used the A-2 and A-3 designation to differentiate between a nightclub and a restaurant. The code refers to dance hall as (not including food or drink consumption). So what is a dance hall that serves food and drink? Adding definitions so that a code official or business owner can clearly determine the appropriate designation will reduce confusion and inconsistencies that exist across the State. In addition there is a wide range of definitions used in ABC regulations and zoning ordinances that further add to inconsistencies.</p>	

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<p>Submitted by: <u>William R. Smith</u> Representing: <u>Virginia State Fire Chiefs</u></p> <p>Address: <u>2408 Courthouse Drive, Virginia Beach, VA 23456-9065</u> Phone No.: <u>757-385-8584</u></p> <p>Regulation Title: <u>Statewide Fire Prevention Code</u> Section No(s): <u>202 Definitions</u></p>		
<p>Proposed Change: Amend the definition for overcrowding to include the text found in the Fire Code Commentary</p> <p>OVERCROWDING. A condition that exists when either there are more people in a building, structure or portion thereof than have been authorized or posted by the FIRE code official, or when the fire code official determines that a threat exist to the safety of the occupants due to persons sitting and/or standing in locations that may obstruct or impede the use of aisles, passages, corridors, stairways, exits or other components of the means of egress.</p> <p><i><u>This definition notes that an unsafe condition exists when the actual number of people present in a building or a building space exceeds the maximum allowable occupant load of that building or space as determined and posted on the premises by the fire code official. Section 1004 of the code would allow a maximum occupant load of one person per every 5 square feet (.5m²) of building area, as long as the egress components provide sufficient capacity for such a load. When that egress capacity is exceeded, then overcrowding exists. The definition also recognizes that, even though the number of occupants in a building or space may not be excessive, the inability of occupants to use the egress elements due to blockage by patrons is also a life safety hazard.</u></i></p>		
<p>Supporting Statement:</p> <p>The inclusion of the text found in the Fire Code Commentary clearly explains overcrowding and the obstruction of the means of egress. When the enforcement of overcrowding enters the judicial system this definition provides for a clear understanding of what the inspector found and why the owner or operator has been cited. Having the definition within the body of the code makes it easier to introduce within the judicial system or prior to this level of enforcement it provides a clear and concise picture to the owner/operator without the need to reference another document.</p>		

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: <u>William R. Smith</u> Representing: <u>Virginia State Fire Chiefs</u></p> <p>Address: <u>2408 Courthouse Drive, Virginia Beach, VA 23456-9065</u> Phone No.: <u>757-385-8584</u></p> <p>Regulation Title: <u>Statewide Fire Prevention Code</u> Section No(s): <u>Table 405.2</u></p>	
<p>Proposed Change:</p> <p>In table 405.2 split the Group E into those facilities that have a fire sprinkler system complying with NFPA 13 to allow the frequency for Group E to quarterly. There should not be less than 4 emergency evacuation drills per year in these facilities. Schools not complying with the fire sprinkler system requirement shall remain monthly as stated in code.</p> <p>2nd option would be to only require drills every other month with not less than 5 evacuation drills per year.</p>	
<p>Supporting Statement: The fire code commentary uses a school fire that occurred in 1958. Since that time most schools have been either renovated or completely rebuilt with many having modern fire protection systems and significant changes to construction materials. The use on non-combustible or protected construction along with rated corridors and enclosed rated stairwells provides greater occupant protection. In addition many new emergencies have been introduced into the school environment, schools now do weather related drills and intruder drills. These drills along with fire drills based on this proposed frequency will still accomplish the desired response from the target audience. To require schools with modern fire protection features to comply with a code developed as a reaction to a 1958 fire causes an undue burden on teaching time. In reality, frequent drills may even desensitize the students and staff as to the significance of a true emergency.</p>	

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<p>Submitted by: <u>William R. Smith</u> Representing: <u>Virginia State Fire Chiefs</u></p> <p>Address: <u>2408 Courthouse Drive, Virginia Beach, VA 23456-9065</u> Phone No.: <u>757-385-8584</u></p> <p>Regulation Title: <u>Statewide Fire Prevention Code</u> Section No(s): <u>907.9</u></p>	
<p>Proposed Change: ADD SECTION</p> <p>907.9.3</p> <p>Visible Zone Alarm Indication. If required, the location of an operated initiating device shall be visibly indicated by building, floor, fire zone, or other approved subdivision by annunciation, printout, or other approved means. The visible indication shall not be canceled by the operation of an audible alarm silencing means. All required annunciation means shall be readily accessible to responding personnel and shall be located as required by the authority having jurisdiction to facilitate an efficient response to the fire situation.</p>	
<p>Supporting Statement:</p> <p>The addition of this text provides the ability of the building and/or fire inspector to require that the areas protected by a fire alarm and fire detection system be clearly identified for the responding firefighters. Section 907.9.2 provides similar clarity for a high-rise structure. The parameters provided in the IFC section 907.7 allow for a zone to cover 22,500 square feet or a dimension up to 300' in any one direction. This becomes an extremely large area in it self to visually inspect for an alarm, this coupled with additional zones and the inability to determine where one zone stops and the other starts makes tracking down an alarm extremely time consuming. This code change will assist firefighters and will cause no undue burden or cost on the property owner or alarm company to provide this documentation during installation or during the required system maintenance.</p> <p>Example:</p> <p>The fire alarm annunciator panel shows a smoke detector in alarm in Zone 1. The diagram on the fire alarm panel should show the outside perimeter of Zone 1 and the rooms and halls within the zone so that firefighters can rapidly respond to the correct location within the structure.</p>	

Revised 5/16/2006

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-315.3.1**

Nature of Change: (text is on code change form)

To change a provision in the International Fire Code (IFC) relating to storage under overhead projections of buildings.

Proponent: Prince William County Fire Marshals Office

Staff Comments:

This proposal was not received in time to be considered by the workgroups used in this code change cycle. The proposal is related to an appeal case to the Review Board where the Review Board ruled that the provision in question in the IFC could only be used to the extent that it comports with whatever edition of the USBC was in effect when a building was initially constructed. The Review Board's decision is being further appealed by the Prince William County Fire Marshals Office.

Staff notes that in accordance with the Review Board's ruling, it is inappropriate to modify this provision of the IFC, as it would then become a state amendment to the IFC and it would be assumed that the provision was fully enforceable and not in conflict with administrative provisions of the Statewide Fire Prevention Code (SFPC). The administrative provision which controls the use of the provision of the IFC in question is Section 103.3, which states that "Retroactive fire protection system requirements contained in the IFC shall not be enforced unless specified by the USBC." The proposed change is attempting to require sprinkler heads under all eaves, canopies and overhead projections in sprinklered buildings if combustible materials are stored under them. However, this aspect of construction is controlled by the edition of the USBC a building was constructed under and for pre-USBC buildings, whatever local codes were in effect. If a pre-USBC building was required to have a sprinkler system, but the sprinkler system standard used at the time did not require eave protection, then this proposed change would be a retrofit provision. Staff would suggest a modification to the change to assure there are no conflicts with the USBC. The final language suggested would be as follows:

315.3.1 Storage beneath overhead projections from buildings. Where combustible materials are stored or handled under eaves, canopies or other projections or overhangs in buildings which were required to have automatic sprinklers when constructed, to the extent that the code under which the building was constructed required it, the automatic sprinklers shall be installed under the eaves, canopies or other projections or overhangs.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: <u>Ernie Little</u> Representing: <u>Prince William County Fire Marshals Office</u></p> <p>Address: <u>5 County Complex Court, Woodbridge, Virginia 22192</u> Phone No.: <u>(703) 792-6883</u></p> <p>Regulation Title: <u>2006 State Fire Prevention Code</u> Section No(s): <u>315.3.1</u></p>		
<p>Proposed Change:</p> <p>Delete section 315.3.1 of the IFC and replace with the following.</p> <p>315.3.1 Storage beneath overhead projections from buildings. Combustible materials stored or displayed outside of buildings that are protected by automatic sprinklers shall not be stored or displayed under nonsprinklered eaves, canopies or other projections or overhangs.</p> <p>315.3.1 Storage beneath overhead projections from buildings. Unless automatic sprinklers are installed under eaves, canopies or other projections or overhangs, the outside storage, display, or handling of combustible materials, where buildings are required to be protected by automatic sprinklers, is prohibited.</p>		
<p>Supporting Statement:</p> <p>The current language of code section IFC 315.3.1 does not provide clear language as to whether sprinklers are or are not required to protect the space <u>under</u> eaves, canopies, or other projections or overhangs when combustibles are stored or displayed there. Where a building is "required" to have an automatic sprinkler system installed throughout, it is clear that the intent of NFPA 13, the standard for installation of sprinkler systems, that has been an adopted reference in the past by both the BOCA Basic Building Code and IBC, to have this space protected by automatic sprinklers. NFPA 13-2002 edition, section 8-14.7.4 states "Sprinklers shall be installed under roofs or canopies over areas where combustibles are stored or handled." These automatic sprinklers are installed to prevent a fire involving the combustible materials from entering a canopy, or other overhead structure, and be able to get above the sprinkler system protecting the structure and prevent it from controlling and extinguishing the fire. The current language in the IFC is not clear on if the automatic sprinklers need to be installed "in" the canopy or other overhead structure of "in" and "under" the overhead structure. The NFPA 13 standard requires automatic sprinklers "in" the canopy or overhead structure when it contains combustible construction <u>and</u> under the canopy or overhead structure when combustibles are stored, displayed, or handled under it. The change in code language clarifies the code requirement.</p>		

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-604.6**

Nature of Change: (text is on code change form)

To add specific testing criteria to the Statewide Fire Prevention Code (SFPC) for emergency lighting and exit signs.

Proponent: State Fire Marshal's Office

Staff Comments:

This change was not received in time to be considered by the workgroups used in this code change cycle. The language is to be added to the International Fire Code (IFC) and is based on language contained in the BOCA Fire Prevention Code, the model code used with the SFPC prior to the IFC. Staff worked with the State Fire Marshal's Office on the wording of the change.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to:

DHCD, The Jackson Center
501 North Second Street
Richmond, VA 23219-1321

Tel. No. (804) 371 - 7150
Fax No. (804) 371 - 7092
Email: bhcd@dhcd.virginia.gov

Document No. F-604.6

Committee Action: _____

BHCD Action: _____

8/6/07

Submitted by: Ron Reynolds

Representing: State Fire Marshal's Office

Address: 501 N. 2nd Street

Phone No. 371-7156

Regulation Title: 2006 SFPC

Section No(s): 604.6

Proposed Change:

Add section to require a minimum requirement for testing battery operated emergency and exit lighting.

604.6 Testing of Battery Powered Emergency Lights and Exit Signs. Required emergency lighting utilizing battery powered emergency lights or exit signs, or both, shall be tested annually. The emergency lights and exit signs shall be tested for proper operation for the time period established in the building code in effect when the equipment was installed. Written records of tests shall be retained by the owner of the building for a minimum of two years after the test is conducted and shall be made available to the fire code official upon request.

Supporting Statement:

The language in the SFPC does not clearly indicate the minimum testing requirements for battery powered emergency lights and exit signs. This code change restores a minimum testing requirement for battery powered emergency lights and exit signs.

The 1996 SFPC clearly provided a minimum annual test of 60 minutes in F-611.2, and monthly 30 second test. When the 2000 SFPC was adopted, that language was dropped. The 2000 USBC required a 90 minute battery to be installed for new installations.

Battery powered emergency lights are specifically excluded in NFPA 110 "Emergency and Standby Power Systems," and NFPA 111 "Stored Electrical Energy Emergency and Standby Power Systems."

The Centers for Medicare and Medicaid Services, enforces NFPA 101, 2000. This code requires 30 day intervals of 30 second tests, plus an annual test of not less than 1-1/2 hours. The 2007 edition of NFPA 101 also includes this requirement, and other details.

Documentation with three major manufacturer's recommendations is attached (Lithonia, Dual-lite, Emergi-lite).

-----Original Message-----

From: Newbold, Sharon [mailto:Sharon.Newbold@AcuityBrands.com]
Sent: Wednesday, June 27, 2007 7:58 AM
To: Reynolds, Ron
Subject: RE: From Contact Lithonia Lighting website

- 1 & 2 - Five-minute test every 30 days
 - 30-minute test every six months
 - 90-minute test annually
- 3 - a Lead Calcium battery life is 5-7 years
 - a Nickel Cadmium battery life is 7-9 years

Thanks and have a great day!!!!!!

Sharon Newbold

Emergency Technical Support

1-800-334-8694 ext. 3566

Name: Ron
Company: Virginia State Fire Marshal's Office
Type of Business: Government
Address: 501 N. 2nd Street
City/State/Zip: Richmond, Va 23219
Email: Ron.reynolds@dhcd.virginia.gov
Phone: 804-371-7156 Fax: 804-371-7092

Comments:

- 1) What is Lithonia's recommendation for testing and maintenance, including frequencies for battery supplied emergency lights?
- 2) Would you recommend an annual load test? How long-60-90 minutes?
- 3) What is the average life span of an emergency lite battery?

From: Tauber, Bob [mailto:btauber@hubbell-ltg.com]
Sent: Wednesday, June 27, 2007 10:33 AM
To: Reynolds, Ron
Subject: RE: Web Tech (Product) : testing emergency lights

Good morning,

The life of the batteries depends on the type of batteries & fixtures.
Sealed lead Acid batteries - 3-4 years
Nicad batteries - 7-8 years

Wet Lead Acid batteries -8-10 years
Wet Nicad Batteries -25-30 years.

This is average laboratory data based on ideal conditions, and properly maintained batteries at specified temperature ranges.

Also attached is the life safety code - See 7.9.3.1.3 for testing requirements. Also attached is our warranty information.

Bob Tauber
Technical Service Supervisor
Hubbell Lighting
864-678-1669
864-678-1742F
btauber@hubbell-ltg.com

From: Assitance, Dual-Lite
Sent: Wednesday, June 27, 2007 8:48 AM
To: Tauber, Bob
Subject: FW: Web Tech (Product) : testing emergency lights
From the Dual-Lite website e-mail.

First_Name : Ron

Last_Name : Reynolds

Comments : What is Dual lite\'s recommendation an frequency for testing and maintaining emergency lights? What is the average life span of an emergency light battery? Should fire code officials require a minimum annual test period, and if so how long should that be--60 minutes, 90 minutes? Just looking for an opinion from the manufacturers. Thanks!

-----Original Message-----

From: Terry Cotnam [mailto:Terry.Cotnam@tnb.com]
Sent: Wednesday, June 27, 2007 7:49 AM
To: Reynolds, Ron; Ion Sovejanu

Subject: Re: Emergency Light Testing and Maintenance

Hi Ron,

- 1) Code requires that once a month you do a visual check and that you press the test switch to insure unit is working. Also annually a 90 minute test should be done to insure unit is working at 100%.
- 2) see above
- 3) The life of a unit depends mainly on the battery type. A standard Lead Calcium Battery unit should last about 8 years.

thx

Terry Cotnam - Tech Support
Emergency Ltg. North America
phone # 1-888-552-6467 ext-547
fax # 1-800-316-4515

>>> "Reynolds, Ron" <Ron.Reynolds@dhcd.virginia.gov> 6/26/2007 4:43 PM >>>
Hi,

I got this email address from the emerge-lite website. Here are my questions:

- 1) What is Emergi-lite's recommendation for testing and maintenance and frequencies for battery supplied emergency lighting?
- 2) Would you recommend an annual load test for the batteries? If so, how long--60 minutes--90 minutes?
- 3) What is the average life of an emergency light battery?

Just looking for some opinions and advice.

Thanks!

Ron Reynolds, MPH-CBO

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-805.1**

Nature of Change: (text is on code change form)

To add exceptions to the International Fire Code (IFC) permitting certain amounts of decorative paper material on the ceiling and walls of dormitory rooms based on the level of fire protection present.

Proponent: Virginia Building and Code Officials Association

Staff Comments:

This change was considered by Workgroups 2 and 3 and it was recognized that there should be some uniform standards for permitting limited hangings in dorm rooms since it inevitably happens anyway. Questions were raised concerning why the exceptions only applied to paper materials when the general provision addresses hangings and decorative materials and whether the percentages given were the proper percentages.

Staff notes a few technical problems with the change. Exceptions #1 and #2 reference current editions of NFPA standards for sprinklers and smoke alarms, which may raise questions about whether the exceptions would apply to older buildings. The terms “dwelling unit” and “sleeping unit” are defined to be mutually exclusive. Dwelling units are more often associated with apartment buildings and sleeping rooms with dormitories. Staff further notes that the section number has changed in the 2006 IFC from Section 805.1 to Section 807.1 and the language has been expanded, however, hangings and other decorative materials are still required to have flame spread ratings in the 2006 IFC.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

Address to submit to:

DHCD, the Jackson Center
501 North Second Street
Richmond, VA 23219-1321

Tel. No. (804) 371 - 7150
Fax No. (804) 371 - 7092
Email: bhcd@dhcd.state.va.us

Document No. F-805.1

Committee Action: _____

BHCD Action: _____

Submitted by: William J. Hall Representing: VA Building and Code Officials Association

Address: P.O. Box 12164 Richmond VA 23241 Phone No.: 804-649-8471

Regulation Title: VA State Fire Prevention Code Section No(s): 805.1

Proposed Change:

SECTION 805 DECORATIONS AND TRIM

805.1 General.

In occupancies of Groups A, E, I and R-1 and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 806.2 or be noncombustible.

Exceptions:

1. In dwelling units and sleeping units located in dormitories of Group R-2, the permissible amount of decorative paper material, suspended from or attached to the walls shall not exceed 50 percent of the aggregate area of the walls, where the building is equipped throughout with an automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2.
2. In dwelling units and sleeping units located in dormitories of Group R-2, the permissible amount of decorative paper material, suspended from or attached to the walls shall not exceed 20 percent of the aggregate area of the walls, where the unit is provided with single station or multiple smoke alarms in accordance with 907.2.10.1.2.
3. In corridors located in dormitories of Group R-2, the permissible amount of decorative paper material, suspended from or attached to the walls shall not exceed 10 percent of the aggregate area of the walls.

In Groups I-1 and I-2, combustible decorations shall be flame retardant unless the decorations, such as photographs and paintings, are of such limited quantities that a hazard of fire development or spread is not present. In Group I-3, combustible decorations are prohibited.

Supporting Statement:

As written, the International Fire Code does not allow combustible decorations within college dormitories. This section is not only impractical but also un-enforceable. We feel that this change offers a good compromise between real life conditions and fire protection in these dormitory occupancies. Recognizing that sprinkler protection is a proven performer in stopping the spread of fire, this proposal allows for what is commonly encountered in most dorm rooms, which is approximately 50% percent of wall space covered with decorative paper material. 20% is proposed in non-sprinkled dorm rooms equipped with smoke detectors.

10% of decorations is proposed for corridors. We feel that although this is a common practice, combustible material should be limited in these areas.

Commonly, inspectors encounter fabrics and textiles hanging from ceiling and walls. This proposal would still prohibit any fabric or textile decorations as well as any combustible material being hung from the ceiling.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-904.1.1**

Nature of Change: (text is on code change form)

To require the suppression system in commercial cooking systems to comply with Underwriters Laboratories Standard No. 300 (UL 300) within two years of the effective date of the 2006 Statewide Fire Prevention Code (SFPC).

Proponent: Virginia Fire Services Board Code Committee

Staff Comments:

This change was considered by Workgroup 2 and several issues were raised. No data has been provided concerning fire incidents or the cost of converting older systems to meet the UL 300 standard. Staff raised the issue of whether this provision would be considered a retrofit provision as it would require a modification of the construction of the equipment. As such, there is a question of whether the proper location of the requirement would be in Section 3411 of the Virginia Construction Code. Fire officials already have the authority to enforce the provisions of Section 3411 of the USBC under Section 102.9 of the SFPC.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. <u>F-904.1.1</u></p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: <u>Charles A. Gregory</u> _____ Representing: <u>Va Fire Services Board</u> _____</p> <p>Address: <u>PO Box 40, Chesterfield Va 23238</u> _____ Phone No.: <u>(804) 814-6989</u></p> <p>Regulation Title: <u>Statewide Fire Prevention Code</u> _____ Section No(s): <u>904.11</u> _____</p>		
<p>Proposed Change:</p> <p>904.1.1 Commercial cooking systems.</p> <p>The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Preengineered automatic dry-and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. <i>Existing automatic fire-extinguishing system for commercial cooking systems shall be UL 300 compliant by (24 months after adoption of code).</i> Other types of automatic fire-extinguishing systems shall be (text not changed).</p>		

Supporting Statement:

At the request of manufacturer's to determine cause of abnormally high failure rates of suppression systems to extinguish and control fires, the UL 300 standard for testing pre-engineered cooking equipment fire suppression systems was developed in 1994.

Much discussion has evolved concerning a healthier America switching from animal fats to poly-unsaturated vegetable cooking oils. Testing did indicate that reduced insulating layer, saponification process, was formed by alkaline extinguishing chemicals reacting with vegetable based oils compared to reactions with animal fats.

Further testing with actual commercially available equipment indicated that newer energy efficient equipment was a more significant cause of suppression system failures than type of cooking oil. While equipment was operating at higher temperature ranges "fast fry process", upon fire suppression system discharge the insulated equipment prevented sufficient cooling to lower cooking oil temperatures below re-ignition levels. With less insulating layer being formed and cooking oil remaining at critical re-ignition temperatures, the pre-UL300 suppression systems could not effectively control cooking equipment fires.

During several code hearings, the concept that UL-300 systems could require additional fuel control valves has been presented as an expensive burden. Since the conception of pre-engineered suppression system in the early 1960's, all listed systems required fuel shut off valves and shunting electrical circuits. UL-300 did not require any additional appliance fuel/energy controls not previously required to meet listed pre-engineered fire suppression system installation.

Additional fuel control valve interfaced with mechanical ventilation as required under provisions of the IFGC, *International Fuel Gas Code*, would not be required to meet pre-UL300 or UL300 listed extinguishing system installations.

Supporting statement of opposition:

This proposal submitted by the VA State Fire Chiefs recommends all hood fire suppression systems be upgraded to UL 300 by January 2008. The next USBC adoption is not scheduled until March or April of 08. The proposal (even the suggested 12 to 24 month effective date) that the proponent request for hood suppression system update is not necessary and will present many existing restaurant owners across the Commonwealth with an unjustified financial hardship. It is not reasonable to enact regulations that will create so many violations of existing systems that do not happen to be UL300. The many existing systems that are not UL 300 would in effect be in violation of the USBC the moment of the effective adoption date. This proposal has the net effect of retroactive provisions. This is completely contrary to the philosophy that the USBC has always endorsed. The fundamental concept of the USBC has recognized existing systems and allowed them to remain in operation as long as the systems are maintained in operating condition, at least as safe as when they were constructed and approved, if the original installation was installed (legally) in accordance with the building code regulations in effect at the time.

The objective of this proposal as identified in the proponents supporting statement appears to be based on the service industry's inability to maintain these older systems and an attempt to avoid perceived issues with the service community's liability. The current concept endorsed by the USBC is to allow systems to remain in operation and when failures occur or repairs are necessary the USBC further permits replacement with similar or like equipment. This has been the approved preferred method of upgrading systems (if parts are no longer available) referenced in the USBC and has a proven successful track record. If repair parts are not available then upgrades/replacements are inevitable. The SFPC requires routine evaluation/inspection/testing of hood suppression systems. Upon the discovery that one of these older systems will not operate as intended, repairs are required, no different than an HVAC appliance. However many of these older systems DO pass the required test and will operate as originally intended and installed. It is unreasonable to require a mandatory upgrade when many systems are being utilized across VA that are in acceptable and safe condition and able to perform the intended function. The submitted proposal included no supporting justification (fire reports) that would reflect where any of these older systems are not performing correctly when needed under fire condition. That is the real issue associated with suppression systems, do they and/or will they perform the intended function under activation in the event of a fire condition? We respectfully request the opportunity to review and evaluate any data that the proponent can produce to substantiate this overly restrictive and cost prohibitive proposed regulation that reflects systems are not working properly under fire condition and property is being lost or compromised.

The idea that a contractor could somehow be liable for an existing systems operation is simply not logical. The service contractor inspects, evaluates, and tests the suppression system. If the system fails to meet any requirements for safe operation the contractor documents the deficiencies and as always the owner is the liable party and the sole entity responsible for any and all corrective measures. The owner is the responsible party from the time he/she takes occupancy to the time they move out and at all time in between. A contractor who responds to an owners request to perform service that is required by the SFPC does not become a liable entity because he/she happens to witness an existing system that is not functioning correctly. This is no different than an inspector who is performing a routine inspection and happens to visit a place of business and discovers a violation. He/she evaluates the situation, determines the severity of such situation and then documents the findings and leaves a notice with the owner. The inspector in no way becomes liable for the situation he/she discovered.

There is somewhere in the neighborhood of 3,200 restaurants in Fairfax County alone. It is not stated in this proposal exactly or even approximately how many of these older systems (non-UL 300) exist across the Commonwealth but one can only imagine, several! Why penalize the many restaurant owners of older hood fire suppression systems that are in excellent working condition? The financial ramification of this proposal may be divesting for many VA citizens simply because they happen to have had ownership of property before 1994, this seems completely unfair since no documentation has been produced to reflect any justification for this overly restrictive measure.

Another problem with this potential retroactive provision is that there are many other "bells and whistles" associated with an upgrade. Things like appliance interlock and shut down. These items may not have been required for the initial installation many years ago. Installation of appliance shut down on an existing system has the potential to cost upwards of \$1,000.00+++ in many cases. This does not even begin to include the cost of the piping system and bottle stations. Again, existing systems must be tested and evaluated periodically. It is not reasonable to require so many legitimate working systems to be replaced with no documented substantiation. Unfortunately the cost of these upgrades can be astronomical. We are urging the BHCD to not approve this proposal.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

Virginia Statewide Fire Prevention Code

Code Change No. F-3301.2.3.1

Nature of Change: (text is on code change form)

To change the reference from the Department of Housing and Community Development to the State Fire Marshal's Office (SFMO) in the provisions of the Statewide Fire Prevention Code (SFPC) for the certification of blasters.

Proponent: SFMO

Staff Comments:

This proposal is in anticipation of the SFMO moving from the Department of Housing and Community Development (DHCD) to the Department of Fire Programs, which is anticipated in July of 2008. While the SFPC currently lists DHCD as the certifying agent, this function is already delegated to the SFMO, which has been handling the certification of blasters since the inception of the program. The proposal was considered by Workgroup 2 and is recommended to move forward as a consensus change.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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501 North Second Street
Richmond, VA 23219-1321

Tel. No. (804) 371 - 7150
Fax No. (804) 371 - 7092
Email: bhcd@dhcd.state.va.us

Document No. F-3301.2.3.1

Committee Action: _____

BHCD Action: _____

Submitted by: State Fire Marshal's Office Representing: _____

Address: _____ Phone No.: _____

Regulation Title: 2006 Va. Statewide Fire Prevention Code Section No(s): 3301.2.3.1

3301.2.3.1.1

3301.2.3.1.3

3301.2.3.1.4

3301.4.1

3301.4.3

3301.4.4

Proposed Change:

3301.2.3 Permit restrictions. The code official is authorized to limit the quantity of explosives, explosive materials, or fireworks permitted at a given location. No person, possessing a permit for storage of explosives at any place, shall keep or store an amount greater than authorized in such permit. Only the kind of explosive specified in such a permit shall be kept or stored.

3301.2.3.1 Permit applicants. The fire official shall not issue a permit to manufacture, store, handle, use or sell explosives or blasting agents to any individual applicant who is not certified by the ~~DHCD~~SFMO as a blaster in accordance with Sections 3301.4.1, or who is not in the possession of a Background Clearance Card or to designated persons representing an applicant that is not an individual and who is not in possession of a Background Clearance Card issued in accordance with Section 3301.2.3.1.1.

The ~~DHCD~~SFMO shall process all applications for a Background Clearance Card for compliance with § 27-97.2 of the Code of Virginia and will be the sole provider of Background Clearance Cards.

3301.2.3.1.1 Background Clearance Card: A Background Clearance Card may be issued upon completion of the following requirements:

1. Any firm or company manufacturing, storing, using or selling explosives in the Commonwealth shall provide the name of a designated person or persons who will be a representative of the company and be responsible for (i) ensuring compliance with state law and regulations relating to blasting agents and explosives and (ii) applying for permits from the fire official.
2. Using a form provided by the ~~Department~~SFMO, all individual applicants and all designated persons representing an applicant that is not an individual, shall submit to a background investigation, to include a national criminal history record check, for a permit to manufacture, store, handle, use or sell explosives, and for any applicant for certification as a blaster.
3. Each such applicant shall submit fingerprints and provide personal descriptive information to the ~~Department~~SFMO to be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining a national criminal history record check regarding such applicant.

3301.2.3.1.2 Issuance of a Background Clearance Card: The issuance of a Background Clearance Card shall be denied if the applicant or designated person representing an applicant has been convicted of any felony, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless his civil rights have been restored by the Governor or other appropriate authority.

3301.2.3.1.3 Fee for background clearance card: The fee for obtaining or renewing a Background Clearance Card from ~~DHCD~~the SFMO shall be \$150 plus any additional fees charged by other agencies for fingerprinting and for obtaining a national criminal history record check through the Central Criminal Records Exchange to the Federal Bureau of Investigation.

3301.2.3.1.4 Revocation of a Background Clearance Card: After issuance of a Background Clearance Card, subsequent conviction of a felony will be grounds for immediate revocation of a Background Clearance Card, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof. The Card shall be returned to the ~~Department~~SFMO immediately. An individual may reapply for his Background Clearance Card if his civil rights have been restored by the Governor or other appropriate authority.

3301.4 Qualifications. Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age, and possess knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

3301.4.1 Certification of blasters. Certificates as a Restricted or Unrestricted Blaster will be issued upon proof of successful completion of an examination approved by the DHCD~~SFMO~~ and a background investigation for compliance with § 27-97.2 of the Code of Virginia. The applicant for certification shall submit proof to the DHCD~~SFMO~~ of the following experience:

1. For certification as a Restricted Blaster, at least one year under direct supervision by a certified unrestricted blaster, certified restricted blaster or other person(s) approved by the DHCD~~SFMO~~.
2. For certification as an Unrestricted Blaster, at least one year under direct supervision by a certified unrestricted blaster or other person(s) approved by the DHCD~~SFMO~~.

The DHCD~~SFMO~~ shall process all certification applicants for compliance with § 27-97.2 of the Code of Virginia and will be the sole provider of blaster certifications.

Exception: The owner of real estate parcels of five or more acres conforming to the definition of "real estate devoted to agricultural use" or "real estate devoted to horticultural use" in § 58.1-3230 of the Code of Virginia when blasting on such real estate.

3301.4.2 Certification issuance. The issuance of a certification as a blaster shall be denied if the applicant has been convicted of any felony, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless his civil rights have been restored by the Governor or other appropriate authority.

3301.4.3 Fee for certification. The fee for obtaining a certificate or renewal of a certificate for unrestricted or restricted blaster from DHCD~~the SFMO~~ shall be \$150 plus any additional fees charged by other agencies for fingerprinting and for obtaining a national criminal history record check through the Central Criminal Records Exchange to the Federal Bureau of Investigation.

3301.4.4 Revocation of a blaster certification. After issuance of a blaster certification, subsequent conviction of a felony will be grounds for immediate revocation of a blaster certification, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof. The certification card shall be returned to the Department~~SFMO~~ immediately. An individual may subsequently reapply for his blaster certification if his civil rights have been restored by the Governor or other appropriate authority.

3301.4.5 Expiration and renewal of a blaster certification. A certificate for an unrestricted or restricted blaster shall be valid for three years from the date of issuance. A background clearance card shall be valid for three years from the date of issuance. Renewal of the unrestricted blaster certificate will be issued upon proof of at least 16 hours of continued training or education in the use of explosives within three consecutive years and a background investigation for compliance with §27-97.2 of the Code of Virginia. Renewal of the restricted blaster certificate will be issued upon proof of at least eight hours of continued training or education in the use of explosives within three consecutive years and a background investigation for compliance with §27-97.2 of the Code of Virginia. The continued training or education required for renewal of a blaster certificate shall be obtained during the three years immediately prior to the certificate's published expiration date. Failure to renew blaster certificate in accordance with this section shall cause an individual to obtain another blaster certificate upon compliance with Section 3301.4.1 to continue engaging in the unsupervised use of explosives.

Supporting Statement:

With the Governor's signature of HB2356 and SB1132 from the 2007 General Assembly session, § 27-97.2 of the Code of Virginia is being amended effective July 1, 2008, which is shortly after the projected effective date of this next edition of the SFPC, to give the SFMO specific responsibility to screen applicants for Blaster Certification cards and Background Clearance Cards and prevent the issuance of such cards to persons convicted of a felony anywhere in the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless their civil rights have been restored by the Governor or other appropriate authority. This change also ensures applicants will continue to receive coordinated service from a single agency or office and lessen any potential delay or disruption through a transitional period.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Statewide Fire Prevention Code
Code Change No. F-3308**

Nature of Change: (text is on code change form)

To amend the Statewide Fire Prevention Code (SFPC) to require the certification of pyrotechnicians by the State Fire Marshal's Office (SFMO).

Proponent: Prince William County Fire Marshals Office

Staff Comments:

This change was not received in time to be considered by the workgroup process used in this code change cycle. The proposal would use a similar process and requirements as those now in place for the certification of blasters under the SFPC. Staff notes that there is specific legislation authorizing blaster certification, but it does not extend to pyrotechnicians. However, the blaster certification program was established under the SFPC prior to the specific legislation using the general statutory authority for the SFPC. Staff has requested the issue to be reviewed by the Office of the Attorney General and will make available any response prior to final action on this change by the Board of Housing and Community Development.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.virginia.gov	8/9/07	Document No. <u>F-3308</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Warren Whitley/Ernie Little Representing: Prince William County Fire Marshals Office

Address: 5 County Complex Court, Suite 160, Woodbridge, Va. 22192 Phone No. 703-792-6360

Regulation Title: **SFPC** Section No(s): **3302 and related Chapter 33 sections**

Proposed Change:

Section 3302 Definitions.

Add the following definitions to Section 3302.1:

Assistant. A person who works under the direct on-site supervision and direction of a pyrotechnician in the setup and conduct of an indoor or outdoor fireworks display.

Pyrotechnician (Operator). The person with overall responsibility for the safety, setup, control, initiation and discharge of an outdoor fireworks display or the functioning of any other pyrotechnic device, whether indoors or outdoors, in close proximity to spectators or an audience.

**SECTION 3308
FIREWORKS DISPLAY**

3308.1 General. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126.

3308.2 Permit application. Prior to issuing permits for fireworks display, plans for the display, inspections of the display site, and demonstrations of the display operations shall be approved.

Exception: Permits are not required for the supervised use or display of permissible fireworks on private property with the consent of the owner of such property.

3308.2.1 Permit restrictions. A permit to setup or conduct a fireworks display shall not be issued if the applicant does not have the services of a pyrotechnician certified by the SFMO as a pyrotechnician in accordance with Section 3308.3. Proof of certification of the pyrotechnician providing such service shall accompany the application for permit.

3308.2.12 Outdoor displays. In addition to the requirements of Section 403, permit applications for outdoor fireworks displays using Division 1.3G fireworks shall include a diagram of the location at which the display will be conducted, including the site from which fireworks will be discharged; the location of buildings, highways, overhead obstructions and utilities; and the lines behind which the audience will be restrained.

3308.2.23 Proximate audience displays. Where the separation distances required by Section 3308.4 and NFPA 1123 are unavailable or cannot be secured, only proximate audience displays conducted in accordance with NFPA 1126 shall be permitted. Applications for proximate audience displays shall include plans indicating the required clearances for spectators and combustibles, crowd control measures, smoke control measures, and requirements for standby personnel and equipment when provision of such personnel or equipment is required by the code official.

3308.3 Certification of pyrotechnician. Certificates as a Pyrotechnician will be issued upon proof of successful completion of an examination approved by the SFMO, and the completion of a criminal history record information check. The SFMO shall deny any application for a permit for certification as pyrotechnician if the applicant has been convicted of any felony, whether such conviction occurred under the laws of the Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, unless his civil rights have been restored by the Governor or other appropriate authority. The applicant for certification shall be at least 21 years of age and submit proof or documentation to the SFMO of at least one year's experience under the direct supervision of a Virginia certified pyrotechnician. Licensure or certification as a pyrotechnician or fireworks operator of at least one year's duration by another state or governmental entity shall represent the required experience. The SFMO shall be the sole provider of pyrotechnician certifications.

3308.4 Fee for certification. The fee for obtaining a certificate or renewal as a pyrotechnician shall be \$150 plus any additional fees charged by other agencies for fingerprinting and for obtaining a national criminal history record check through the Central Criminal Records Exchange to the Federal Bureau of Investigation.

3308.5 Expiration and renewal of a pyrotechnician certification. A certificate for a pyrotechnician shall be valid for three years from the date of issuance. Renewal of the pyrotechnician certificate will be issued upon completion of a background investigation, including a criminal history information record check, and proof of at least 8 hours of continued training or education in the setup and conduct of a fireworks display, whether indoors or outdoors, accumulated within the three years immediately prior to the certificate's published expiration date. Failure to renew a blaster certificate in accordance with this section shall cause an individual to obtain another certificate upon compliance with Section 3308.3 to continue engaging in the unsupervised setup and initiation of a fireworks display whether indoors, outdoors or in close proximity to spectators or audience.

3308.36 Approved displays. Approved displays shall be conducted only by persons certified by the SFMO as a pyrotechnician or shall be supervised on-site by a person properly certified by the SFMO as a pyrotechnician. Approved displays shall include only the approved Division 1.3G, Division 1.4G, and Division 1.4S fireworks, and shall be handled by an approved competent operator a SFMO certified pyrotechnician or assistants that are at least 18 years of age, and the fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

(Renumber remaining sections.)

Supporting Statement:

In light of recent events where aerial firework incidents have caused injury it has become evident that there is a necessity to have 1) a training process for firework and pyrotechnic shooters to obtain a minimal level of training in initiating these devices in a safe manner and be aware of safe practices in doing so, and 2) there to be a control to allow the AHJ to have a mechanism to assure that persons applying for permits for aerial display and use of pyrotechnic materials a various indoor and outdoor venues. Considering that the fire at the fatal Station night club in Rhode Island was caused by use of pyrotechnics and the recent incident in Vienna, Virginia, where fireworks caused several injuries of spectators watching the aerial display, it is apparent that the level of safety in the use of fireworks and pyrotechnic materials needs to be increased. Thus, this proposal is the start of a process to increase the level of safety in use of these materials. Discussions between various fire

officials throughout the Commonwealth regarding regulation of firework/pyrotechnic shooters has resulted in this proposed code amendment.

Currently, fire officials are relying on out of state certifications to satisfy the code requirement. Virginia should have a mechanism to ensure that the operators have the necessary training that satisfies the State FMO to perform safely. It is logical that those that display fire works in Virginia have the ability to receive their training in Virginia rather than having to seek it elsewhere.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Industrialized Building Safety Regulations
Code Change No. I-30 and others by same proponent**

Nature of Changes: (text is on code change forms)

A number of proposals to require modular buildings built on a metal frame to be identified as such and to address other concerns the proponent has experienced in the set up of his home.

Proponent: Leonard Chaney

Staff Comments:

While many of the proposals are unclear, staff has addressed a number of Mr. Chaney's concerns in the staff proposals submitted to the Board and accepted for the proposed regulations, such as clarifying the local building department's responsibilities and coordinating state and local enforcement when problems occur. Staff will continue to review the regulations and will develop proposals as necessary for the 2009 code change cycle.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

October 18, 2006

To whom it may concern
Code Changes



Dear Sir / Madam,

Attached is some additional code changes that I feel should be changed. As you have fully realized by now, the current USBC, IBSR and the MHSR codes are not written so the consumer can understand the wording. I have had to spend a lot of time reviewing and trying to see if there was any code that would force the contractors and the Building Official to insure our house was being set and repaired to code. It has been close to two years now of total aggravation and the code violations continue on every repair to our house. I am mainly interested in protecting the consumer that has to buy the Doublewide (manufactured) house, the Modular (industrialized) on frame and off frame house, due to the cost of the stick built house. I / we the consumer needs all the protection we can get, to help protect us from some of the manufactures, sales division and contractors that flagrantly violate the State of Virginia Codes. The current codes related to this type housing are very vague. State officials have stated this.

Many of these consumers has suffered and still are suffering severely, due to the crooked dealers and contractors knowing the local county building officials can not do anything to make them follow the Virginia State Codes. The local inspection department has not understood the codes and has not followed the codes. I have made this statement to our local Inspection Department and have documentation to back up my statement. The local Building official has very little authority if any to prosecute the contractors that flagrantly violate the codes. To give a contractor three chances to perform his work in a good workmanship manner and to code, IS OUT DATED. They come in here and tear out their repairs and then continue to violate the codes. The consumer is the one that has to suffer while they are waiting to get into their dream house. Why should the Building Official waste his time trying to prosecute a contractor that has flagrantly violated the codes, if the contractor is going to end up with a ONE THOUSAND DOLLAR FINE? That is only loose change from a contract that they have saved thousands of dollars by taking short cuts. Getting into the contractors pocket is the only way to stop the out of control Construction Company.

THE VIRGINIA STATE CODES AND SEVERE FINES HAS TO BE UPDATED

To stop these vultures from preying on the consumer that has to buy this cheaper type of housing. Please take the review of the currant codes very seriously PROTECT THE CONSUMER NOT THE VULTURE'S, that will root into their pockets until they are empty and leave them with repairs they cannot afford.

I have just been told that the new code regulations will not be available until 2008. This means that the new consumers of this style housing, could end up with similar problems. How can we make all County Building Officials, thru out the state, follow the current State of Virginia Code 105.4 "**AS INTERPRETED BY THE STATE REVIEW BOARD**" to insure the **MANUFACTURES SET UP INSTRUCTIONS ARE FOLLOWED**? This is a much bigger problem than you would believe. It is a bigger problem because these consumers are generally of a very low income. Can a letter be sent to each and every COUNTY BUILDING OFFICIAL to help insure the consumers of this type housing is getting some protection. If this helps one consumer get a fair deal for what they paid for, it is worth every minute involved in sending out those letters. I have been told my many people, they cannot even get help from their local building officials. In general the consumer of this type of housing has less education, unable to understand what SLICK WILLIE is telling them, a very low income, financially unable to fight for their rights and not educated to review the horrible setting and repairs of their DREAM HOUSE. The lawyers will not help unless the consumer has MONEY. We know, because our lawyer dropped us like a hot potato, when he discovered we did not have the finances to pursue a lawsuit, against those that has made the lives of seventy-year-old seniors totally miserable for almost two years and counting.

Sincerely


Leonard M. Chaney

15412 Countyline Church Road
Ruther Glen, Virginia, 22546
804 448 0694

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
 (Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: Leonard M. Chaney Owner of a horrible Fleetwood on frame Modular House, not set to code. October 17, 2006. _____ Representing: _____ SAME _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>Phone No. 804 448 0694 _____</p> <p>Regulation Title: IBSR USBC MHSR _____ _____ Section No(s): ??? _____ -</p>		

<p>Proposed Change,s has to be made to the hidden, factory built house in-wall code violations, that the code states nothing can be done about the violations. I have been told that if it can not be seen, it can not be repaired. Who is authorized to tear up the house if the SBCAO will not list the defects. Protect the consumer not the manufacture. Our factory built Modular on frame house has a defective thermostat wire in the walls. There is obvious loose floor boards. There is a construction problem in the master bath room at the top wall and the ceiling. The ceiling could be raised by hand. These can not be repaired. What if there is an electrical in wall problem? What if there is defective warped lumber in the wall causing a large bulge in the wall? <i>ETC</i></p>		
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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>_____ Representing: Same_ Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>_____ Phone No.: 804 448 0694</p> <p>_____</p> <p>Regulation Title: MHSR IBSR and the USBC _____</p> <p>_____ Section No(s): _____</p>		

<p>These codes do not cover the repairs or required inspection of the repairs of a manufactured or industrialized (modular on frame or off frame) home.</p> <p>Our eight repair is due to repair code violations, mostly due to improper setting of the house and repairs, to repair, the repairs, of the repairs, of the repairs etc. to correct the set up code violations and to repair the flagrant code violations to repair the set up code violations. It just keeps going and going.</p>		

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<p>No matter how many times I have read these codes and the DHCD staff changes for these codes, I still read these codes as stating - THE IBSR AND THE MHSR ARE EXEMPT FROM THE USBC (everything including construction, repair & inspection is exempt) EXCEPT ETC. Sections 105, 106, 112, 113, 115 and 118 are very important protection codes for the IBSR and MHSR, yet the USBC 102. 5 & 6 states these are not to be used for the IBSR and MHSR. None of the codes I have noted above are in the IBSR and the MHSR. In other words why is THE IBSR AND THE MHSR NOT PART OF THE VIRGINIA CONSTRUCTION CODE?</p>	<p>NOT INCLUDING THE END FOOTINGS FOUNDATION, STRAPPING ETC</p>	

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<p>Proposed Change: There has to be some kind of a time frame between the time of inspection and the issuance of the report.</p> <p>The building official shall perform the requested inspection by the lot owner etc Requested BY The Lotowner</p>		
<p>Supporting Statement: It took us about six months to get our first code violation report, that I requested many times. The building official stated that his three inspections was a courtesy call.</p>		

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<p>Proposed Change: Give written notice of defective work to the <u>CONSTRUCTING CONTRACTOR</u> AND A COPY TO THE LOT OWNER</p>		
<p>Supporting Statement: If a individual is forced to apply for the Building Permit and has no knowledge of what a code is, how can they be responsible. This is a legal way for the contractors to escape their horrible Flagrant code violation construction.</p>		

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<p>Proposed Change: The Building official shall issue a written notice of violation to the CONSTRUCTING / REPAIR CONTRACTOR Etc</p>		
<p>Supporting Statement: They are the one responsible for all construction and repairs, not the lot owner.</p>		

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Proposed Change: Upon request of a OWNER, a temporary certificate of occupancy SHALL be issued ect, ~~THE OWNER SHALL NOT BE RESPONSIBLE TO INSURE THE REMAINING CODE VIOLATIONS ARE REPAIRED TO CODE.~~

The CONSTRUCTION / REPAIR CONTRACTOR SHALL BE RESPONSIBLE TO INSURE ~~THE CONTRACTOR~~ ~~REPAIR CONTRACTOR~~ ~~REPAIR CONTRACTOR~~ COMPLIANCE WITH THE USBC

Supporting Statement: I asked for a O. P. due to my wife's failing health and the fact we sold our previous home in December 2004. Our house arrived October 22, 2004 and was far from being completed. We received a O.P. (without a review of the previous code violations by the building official) on September 26, 2005. I reviewed the codes and saw that a temporary O.P. could be issued. I asked the Building Official to cancel the original O. P. and issue us a temporary O. P. He said he could do that. He never did. Now the new Building Official states we accepted the O. P. and therefore have accepted the responsibility of the remaining code violations. Fleetwood will not recognize the latest Caroline County Inspection Report of code violations. How could I get them to repair the existing code violations?

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<p>Submitted by: Leonard M. Chaney _____ Representing: _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Va. _____ Phone No.: 804 448 0694 _____</p> <p>Regulation Title: <u>USBC</u> _____ Section No(s): 419 _____</p>		
<p>Proposed Change: The words to include MODULAR ON OR OFF FRAME House needs to be included. The consumer and others has no idea what code this type home falls under. Our house has been called a MANUFACTURED HOUSE by the Caroline County Inspection Department from October 22, 2004 until recently. The consumer has to know what code to check to insure their house has been set properly. Remember, the codes are to be made so the consumer can understand the meaning.</p> <p>419.2 The manufacture is required to include a set of Manufactures Instructions. Why is there an IF they are not included? There is no if for any other type house. If the IRC Appendix E. is not recognized by the state, why is it referred to as an alternative usable code? There is none for the Modular On or Off Frame House.</p> <p>419.5, Please add to include the MODULAR ON OR OFF FRAME HOUSE.</p>		

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Proposed Change: Construction work **AND REPAIRS** associated with ETC.

Supporting Statement: The word repair is not part of the codes. It is my feeling that the term "Construction" applies to building, not repairing. If the house is not set according to the Manufactures set up instructions, the house has to be **REPAIRED** by (other ?) contractors to bring it up to code. It appears that many contractors do not know how to repair the house to be in compliance with the manufactures instructions. They tear out sections and "DO IT THEIR WAY". **OUR HOUSE AFTER TWO YEARS IS STILL NOT SET TO CODE.**

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<p>Submitted by: Leonard M. Chaney October 17, 2006 _____</p> <p>_____ Representing: Owner of a horrible Fleetwood Modular On frame House, not set to code.</p> <p>_____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>_____ Phone No.: 804 448 0694 _____</p> <p>Regulation Title: IRC _____</p> <p>_____ Section No(s): </p> <p>Appendix E. _____</p> <p>—</p>		

<p>Proposed Change: This code appears to be used only if THE MANUFACTURES INSTRUCTIONS ARE NOT INCLUDED. However the codes states they must be included. Occording to some officials this can be used and some state it is not recognized by the state of Virginia. I am very confused. This section having a full description of erection should be included with the Manufactured Home. It coves the Industrialized (Modular on frame house and most of the off frame) house.</p>		
<p>Supporting Statement:</p>		

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<p>Proposed Change: Piers are of a square construction, not a rectangle construction. <i>AS NOTED</i></p> <p>Each pier footing should be constructed of a equal height. It is my understanding that the house is to be set on a wood sill plate. The manufacture set up instructions calls for a 2 " x 8" x 16" treated wood sill plate on top of the cap block. <i>NOT NOTED</i></p> <p><i>BLOCKS</i></p> <p>Why is hollow 8" x 8" x 16" allowed. The contractors throw these blocks around like they are made of steel. If they see a cracked block, they will turn it inward so the crack can not be seen. They are not going to crawl out from under the house to replace the cracked block. The Building Official can not / will not inspect all four sides of the pier to insure that each and every block is not cracked / damaged. I seriously believe that each block should be filled with cement, or solid blocks should be used.</p>		
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<p>Supporting Statement: Our piers ^{Set 1095} were poured to many different heights. I doubt if any two are of the same height. This would help in the construction of the piers. They would all be constructed the same way to help insure the leveling of the house.</p> <p>AND THERE WAS CRACKED BLOCKS IN OUR STACK</p>		

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Submitted by: Leonard M. Chaney _____ Representing: _____

Address: 15412 Countyline Church Road, Ruther Glen, Va.
22546 _____ Phone No.: 804 448 0694

Regulation Title: Unsure SEE BELOW _____ Section No(s): _____

Proposed Change: We were forced By Fleetwood to get the Building Permit. Our house was due in and the construction foreman asked if we had our building permit. He stated we had to get the permit. We did not know the consequences of getting the permit. We have code violations that Fleetwood will not fix and there is nothing I can do about it. Mr. Frazier said he did not want to hear about the Building Officials Code Violations. There has to be SOMETHING TO PROTECT THE CONSUMER FROM THESE VULTURES. ~~MAKING A LAW THAT WILL MAKE THE CONSTRUCTION CONTRACTOR RESPONSIBLE FOR HIS WORK, not the innocent consumer.~~ MAKE A LAW THAT WILL MAKE THE CONSTRUCTION CONTRACTOR RESPONSIBLE FOR HIS WORK, not the innocent consumer.

THIS WILL MAKE THE RESPONSIBLE PERSON RESPONSIBLE

*ATTACHED IS PROOF OF MASS CONFUSION OF
THE CAROLINE COUNTY INSPECTION PROCESS*

PLEASE READ + REREAD THE CODES

MAKE SURE THE CONSUMER IS PROTECTED

AmC

*THE ATTACHED IS A VERY SMALL SAMPLE
OF THE PROBLEMS WITH OUR HOUSE AND*

THE CAROLINE COUNTY INSPECTION DEPARTMENT

AmC

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<p>Submitted by: Leonard M. Chaney _____ Representing: _____</p> <p>Address: _15412 Countyline Church Road, Ruther Glen, Va. _____ Phone No.: 804 448 22546 _____ 0694 _____</p> <p>Regulation Title: IBSR _____ Section No(s): _____</p>		
<p>Proposed Change: Consumers that purchases a Modular On / Off Frame House will not know that their house falls under the IBSR. They would not know what the Industrialized Building is. The codes should to be written so the consumer can understand the terminology. The Building Officials do not know the Modular House on and off frame falls under the IBSR. Some where the words Modular House on or off frame must be shown. This type house (Road Runner) is different from the other Industrialized Buildings.</p> <p>13 VAC 5-91-110 Protect the CONSUMER. What happens if there is an in-wall electrical problem, a thermostat defective wire, loose floor boards or some similar problem? We Have to tear our house apart to show proof of a factory code violation in order for Eric Leatherby to file a report. Then the manufacture will say WE DID THE DAMAGE. We cannot get some factory related items repaired because the problem cannot be seen. PLEASE PROTECT THE CONSUMER.</p> <p>13 VAC 5-91-110-3 Building official shall verify THROUGH INSPECTION ETC. Make it very clear that the Building Official SHALL. I have been told that to VERIFY can be done verbally. THAT IS NOT WHAT THE CODE should sugest.</p> <p>13 VAC 5-91-110-4 Building Official Shall Verify THROUGH INSPECTION ETC. Same remark as above.</p>		

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Proposed Change:

Please add a code similar to stating,
THE CONSTRUCTING
CONTRACTOR ERECTING AND
OR REPAIRING A
INDUSTRIALIZED BUILDING
SHALL ACCEPT THE *sole*
RESPONSIBILITY FOR FAILURE
TO FOLLOW THE USBC
REGULATIONS AND THE
MANUFACTURES SET UP
INSTRUCTIONS.

Supporting Statement:

I was forced to apply for our BUILDING PERMIT. Our house was due in and I was asked if we had gotten our permit. This house arrived in horrible shape OCTOBER 22, 2004. The erection of this house was about 1/3rd finished by the constructing contractor, that appeared to have walked off of the job in NOVEMBER 2004. To date, after 7 repair trips by Fleetwood Homes hired out of state contractors, the house is still not set to code. The Constructing contractor and the sub contractors that has worked on this house should have been held responsible for their FLAGRANT VIOLATIONS of the codes. I have serious doubts if the remaining code violations will be corrected. Fleetwood has said they are done with our house.

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<p>Submitted by: Leonard Chaney Representing: Owner of a horrible Fleetwood on frame Modular House, not set to code. _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>Phone No.: 804 448 0694 _____</p> <p>Regulation Title: _____ IBSR 13 Vac 5-91-10. Definitions. <u>Industrialized Building</u></p> <p>_____ Section No(s): _____</p>	<p>I have been over and over this code to try to find an answer to let the CONSUMER and others know that the (two section road runner) Modular, either on frame or off frame House is included under this definition. MOST do not know this type of house is included in the Industrialized House Code. Our County Building Official did not know, how could the consumer know. They believe it is a Manufactured house. It is basically built and set like the Manufactured Doublewide House. Our Modular House looks exactly like a DOUBLE WIDE TRAILER with VERY LITTLE UPGRADES, and has been called the same. Please find a phrase that will include this type house in this definition.</p>	

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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>_____ Representing: Same Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>_____ Phone No.: 804 448 0694</p> <p>_____</p> <p>Regulation Title: IBSR _____</p> <p>_____ Section No(s): 13 VAC 5-91-70</p>		

Proposed Change: *Repeal vs D*

B. ANY Person, firms or
CONTRACTOR installing, erecting
AND OR REPAIRING A registered
industrialized building **SHALL**
ACCEPT THE RESPONSIBILITY
TO install, erect **OR REPAIR** the
building in accordance with the
manufactures instructions.

C. LOCAL BUILDING OFFICIAL
SHALL INSPECT TO INSURE
COMPLIANCE OF THE
MANUFACTURES
INSTRUCTIONS FOR THE
INSTALLATION, ERECTION AND
OR REPAIRS OF A REGISTERED
INDUSTRIALIZED BUILDING.

D. LOCAL BUILDING OFFICIAL
SHALL ISSUE A CODE
VIOLATION CITATION TO
INCLUDE ALL CODE
VIOLATIONS TO THE PERSON *AND*
OR FIRM OR CONTRACTOR
COMMITTING THE CODE
VIOLATION. A COPY SHALL BE
GIVEN TO PERMIT HOLDER AND
OR THE LOT OWNER.

Supporting Statement: Our house erection is still not complete after nearly two years of **FLAGRANT CODE VIOLATIONS** of the erection and **FLAGRANT CODE VIOLATIONS OF SEVEN TRIPS TO REPAIR THE ERECTION CODE VIOLATIONS**. The eight trip is due soon.
THE PERSON OR PERSONS CONSTRUCTING OR REPAIRING HAS TO BE HELD RESPONSIBLE FOR THEIR FAILURE TO COMPLY WITH THE VIRGINIA STATE CODES, no matter what their position is.

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. _____</p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>
<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>_____ Representing: Same_October 17, 2006 _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 _____</p> <p>_____ Phone No.:804 448 0694 _____</p> <p>Regulation Title: IBSR _____</p> <p>_____ Section No(s):13 VAC 5-91-80</p>		

<p>Proposed Change: The manufacture of S, should be (A) Industrialized etc.</p>		
<p>Supporting Statement:</p>		

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>Representing: Same_ Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>Phone No.: 804 448 0694 November 10, 2006 _____</p> <p>Regulation Title: Section No(s): IBSR DHCD Staff changes</p>		
<p>13 VAC 5-91-110 ? C. ? Where does this C. fit into this code?</p>		

Proposed Change: When the building official determines that a violation of any provision of this section is present, the responsible person **OF THE VIOLATION AND OR THE FIRM** shall etc.

Supporting Statement: The PERSON / PERSONS CREATING THE VIOLATION AND THOSE THAT CONTRACT THE PERSON SHOULD BE THE RESPONSIBLE PERSON, not the homeowner. This would force the dealers to inspect their contractors work. There was no one from Fleetwood responsible to insure our house was set according to their own instructions. The man (foreman) for our house set up stated - He never was told to inspect the contractors work.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
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<p>Submitted by: Leonard M. Chaney Owner of a horrible Fleetwood on frame Modular House, not set to code. October 17, 2006. _____</p> <p>Representing: _____ SAME _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>Phone No. 804 448 0694 _____</p> <p>Regulation Title: IBSR _____</p> <p>_____ Section No(s): 13 VAC5-91- 130 _____</p> <p>—</p>		

*ADD: IF THE BUILDING
 IS NOT DETERMINED
 TO BE UNSAFE*

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: Leonard M. Chaney Owner of a horrible Fleetwood on frame Modular House, not set to code. October 17, 2006. _____ Representing: _____ SAME _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>Phone No. 804 448 0694 _____</p> <p>Regulation Title: IBSR _____</p> <p>_____ Section No(s): 13 VAC 5- 91-210 _____</p>		

Proposed Change, Include: The approving inspectors number.

Supporting Statement. Our Building Official was very upset with the condition of this so called factory inspected house. He tried to get in touch with the inspecting officer. The manufactures does not want this to happen.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>_____ Representing: Same Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>_____ Phone No.: 804 448 0694 _____ November 10, 2006 _____</p> <p>Regulation Title: Section No(s): IBSR 13VAC 5-91- 270-C. DHCD Staff changes</p>		

Proposed Change: The UNLESS statement does not force the building official to inspect. The Installation / erection is to important to state otherwise.

This code should be included in the USBC, IBSR and MHSR Make it very clear that the work has to be done to code, not unless.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

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<p>Submitted by: Leonard M. Chaney Owner of a horrible Fleetwood on frame Modular House, not set to code. October 17, 2006. _____ Representing: _____ SAME _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>Phone No. 804 448 0694 _____</p> <p>Regulation Title: MHSR _____ _____ Section No(s): _____</p>		

Proposed Change:

Please add a code similar to stating,
THE CONSTRUCTING
CONTRACTOR ERECTING AND
OR REPAIRING A Manufactured *House*
SHALL ACCEPT THE
RESPONSIBILITY FOR FAILURE
TO FOLLOW THE USBC
REGULATIONS AND THE
MANUFACTURES SET UP
INSTRUCTIONS.

<p>Supporting Statement:</p> <p>I was forced to apply for our BUILDING PERMIT. Our house was due in and I was asked if we had gotten our permit. This house arrived in horrible shape OCTOBER 22, 2004. The erection of this house was about 1/3rd finished by the constructing contractor, that appeared to have walked off of the job in NOVEMBER 2004. To date, after 7 repair trips by Fleetwood Homes hired out of state contractors, the house is still not set to code. The Constructing contractor and the sub contractors that has worked on this house should have been held responsible for their FLAGRANT VIOLATIONS of the codes. I have serious doubts if the remaining code violations will be corrected. Fleetwood has said they are done with our house. The Manufactured Home Consumer NEEDS PROTECTED ALSO.</p>		
---	--	--

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM


(Use this form to submit changes to building and fire codes)

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<p>Submitted by: Leonard M. Chaney October 17, 2006 _____</p> <p>_____ Representing: Owner of a horrible Fleetwood Modular On frame House, not set to code.</p> <p>_____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>_____ Phone No.: 804 448 0694 _____</p> <p>Regulation Title: MHSR _____</p> <p>_____ Section No(s): 13 VAC 5-95-20- F _____</p>		

<p>Proposed Change: Where in the USBC does it have anything regarding the actual requirements for the mounting and anchoring of the home?</p>		
<p>Supporting Statement:</p>		

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: Leonard M. Chaney _____ Representing: _____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____ Phone No.: 804 448 0694 _____</p> <p>Regulation Title: MHSR _____ Section No(s): 13 VAC 5-95-- 30 _____</p>		
<p>Proposed Change: See IBSR Code Changes 13 VAC 5-91-110. 13 VAC 5-95-30-3 Local Code Official shall verify THRU INSPECTION ETC. 13 VAC 5-95-30-4 Local Code Official shall verify THRU INSPECTION ETC. 13 VAC 5-95-30-8 Local Code Officials SHALL verify  ..</p>		

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>Representing: Same_</p> <p>Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>Phone No.: 804 448 0694</p> <p>Regulation Title: MHSR _____</p> <p>Section No(s): 13 VAC 5-95-30-</p>		

Proposed Change:

3. LOCAL CODE OFFICIAL SHALL
INSPECT TO INSURE
COMPLIANCE OF THE
MANUFACTURES
INSTRUCTIONS FOR THE
INSTALLATION, ERECTION AND
OR REPAIRS OF A
MANUFACTURED HOME and
SHALL ISSUE A CODE
VIOLATION CITATION TO
INCLUDE ALL CODE
VIOLATIONS TO THE PERSON
OR FIRM OR ~~CONTRACTOR~~
COMMITTING THE CODE
VIOLATION. A COPY SHALL BE
GIVEN TO PERMIT HOLDER AND
OR THE LOT OWNER.

Amended by [signature]

Supporting Statement: I am sure many consumers of a manufactured home has had the same problem as we have had with our Modular On Frame Industrialized Home. They to should be protected.

Our house erection is still not complete after nearly two years of **FLAGRANT CODE VIOLATIONS** of the erection and **FLAGRANT CODE VIOLATIONS OF SEVEN TRIPS TO REPAIR THE ERECTION CODE VIOLATIONS**. The eight trip is due soon.

THE PERSON OR PERSONS CONSTRUCTING OR REPAIRING HAS TO BE HELD RESPONSIBLE FOR THEIR FAILURE TO COMPLY WITH THE VIRGINIA STATE CODES, no matter what their position is.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM
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<p>Submitted by: Leonard M. Chaney owner of a horrible Fleetwood House not set to code. _____</p> <p>_____ Representing: Same_ Address: 15412 Countyline Church Road, Ruther Glen Virginia, 22546 <u>11/13/06</u></p> <p>_____ Phone No.: 804 448 0694</p> <p>_____</p> <p>Regulation Title: MHSR _____</p> <p>_____ Section No(s): 13 VAC 5-95-60-</p>		

Proposed Change:

ANY OR ALL Distributors, dealers,
CONTRACTORS or PERSONS
installing, setting up **OR**
REPAIRING a manufactured home
SHALL BE RESPONSIBLE TO
perform such installation, **SET UP**
AND OR REPAIRS in accordance
with the manufactures instructions.

WHAT DOES THIS HAVE TO DO
WITH THE ABOVE? IT IS
CONFUSING. ↙
or other support and anchoring
systems etc.
It appears most manufactures
instructions include the support and
anchoring procedures.

<p>Supporting Statement: Dealers that hire contractors to set up and repair set up problems, should be required to inspect to insure their hired contractors are following codes. If they do not insure compliance by their hired contractors, they should be held responsible also.</p> <p>NO ONE FROM FLEETWOOD CHECKED THE FLAGRANT CODE VIOLATION SETTING OF OUR HOUSE. It does not matter if it is a doublewide or a modular on or off frame house. They are installed in a similar manner.</p>		
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DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

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<p>Submitted by: Leonard M. Chaney October 17, 2006 _____</p> <p>Representing: Owner of a horrible Fleetwood Modular On frame House, not set to code.</p> <p>_____</p> <p>Address: 15412 Countyline Church Road, Ruther Glen, Virginia 22546 _____</p> <p>_____ Phone No.: 804 448 0694 _____</p> <p>Regulation Title: MHSR _____</p> <p>_____ Section No(s): 13 VAC 5-95- 60 _____</p> <p>-</p>		

Proposed Change: Add the word
CONTRACTOR. The Or statement
appears to have nothing to do with
the statement above. This code is
VERY CONFUSING.

Supporting Statement:

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Industrialized Building Safety Regulations
Code Change No. I-115**

Nature of Change: (text is on code change form)

To add specific provisions to the Industrialized Building Safety Regulations (IBSR) for the change of occupancy of existing modular buildings and for qualifying existing unregistered industrialized buildings for registration.

Proponent: DHCD Staff

Staff Comments:

This proposal was initiated by the Modular Building Institute and staff of the DHCD State Building Code Administrative Office (SBCAO), which handles the state's modular program, worked with the Institute to refine the proposal. The SBCAO has been providing for change of occupancy and the registration of unregistered modular buildings through the modification process provided for in the IBSR using essentially the same criteria as in this proposal. The proposal was reviewed by Workgroups 2 and 3 and is recommended to move forward as consensus.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.virginia.gov		Document No. <u>I-115</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Staff Representing: Division of Building and Fire Regulations

Address: 501 North Second Street, Richmond, VA 23219 Phone No. (804) 371-7160

Regulation Title: Industrialized Building Safety Regulations Section No(s): 5-91-115 & 5-91-120

Proposed Changes: Add new section 13 VAC 5-91-115 to read as follows:

13 VAC 5-91-115. Change of occupancy classification.

When the occupancy classification of a registered industrialized building is proposed to be changed, a compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether compliance may be achieved for a change of occupancy classification in accordance with the USBC. If factory plans are available, then disassembly is not required to the extent that the factory plans can be reasonably verified to reflect the actual construction. Once any necessary work is completed, the compliance assurance agency shall prepare a report documenting the method utilized for the change of occupancy and any alterations to the building to achieve compliance. When the report is complete, the compliance assurance agency shall (i) mark the building with a new compliance assurance agency label in accordance with § 13 VAC 5-91-210 which replaces the existing label, (ii) place a new manufacturer's data plate on the building in accordance with § 13 VAC 5-91-245 which replaces the existing manufacturer's data plate and reflects the new occupancy classification, and (iii) forward a copy of the report and new data plate to the SBCAO.

Add new paragraph C to section 13 VAC 5-91-120 to read as follows:

C. An existing unregistered industrialized building may be registered in accordance with the following:

1. Where an unregistered building was constructed under an industrialized building program of another state and approved under such program, a compliance assurance agency shall prepare a report based on review of the plans and specifications and inspection of the building to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. If compliance is determined, the compliance assurance agency shall (i)

mark the building with a compliance assurance agency label in accordance with § 13 VAC 5-91-210, (ii) place a new manufacturer's data plate on the building in accordance with § 13 VAC 5-91-245, (iii) mark the building with a registration seal in accordance with § 13 VAC 5-91-260, and (iv) forward a copy of the report and new data plate to the SBCAO.

2. Where an unregistered building was not approved under an industrialized building program of another state, the compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. When factory plans are available, then disassembly is not required to the extent that the factory plans can be verified to reflect the actual construction of the building. When compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with items (i) through (iv) in subdivision 1 of this subsection.
3. When the date of manufacture of the existing unregistered building cannot be verified, the building shall be evaluated for compliance with the codes and standards specified in § 13 VAC 5-91-160. The compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with these construction requirements. If compliance is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with items (i) through (iv) in subdivision 1 of this subsection.

Supporting Statement:

The new § 13 VAC 5-91-115 provides a method of evaluating and certifying a registered industrialized building for a change of occupancy classification. The current IBSR does not contain any provisions for such a change. This will provide the requirements in the IBSR for code officials and the SBCAO staff to enforce in allowing a change of occupancy classification.

The new paragraph C in § 13 VAC 5-91-120 adds new code requirements to allow registration of an existing unregistered industrialized building. Three (3) different conditions or situations are provided for in the new paragraph. The first subdivision explains the procedures of how an unregistered building that has been evaluated and approved under another state's industrialized building program may now be registered under the Virginia program. The second subdivision explains the requirements for registering a building when there is no evidence of approval under another state's program but the date of manufacture of the building can be verified and there may be factory plans for the building available for review. The third subdivision addresses an unregistered building for which the date of manufacture cannot be verified and requires such building to be evaluated and certified under the current code requirements.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

Virginia Amusement Device Regulations
Code Change Nos. A-40-a, A-40-b, A-85, A-200-a and A-210

Nature of Change: (text is on code change form)

Five changes to update and clarify the Virginia Amusement Device Regulations (VADR).

Proponent: Amusement Device Technical Advisory Committee (ADTAC)

Staff Comments:

The first change (A-40-a) is to update the regulation to the latest available standard for inflatable amusement devices. The second change (A-40-b) is to add a standard for bumper boats and general provisions for bumper boats similar to other specific-type rides. The third change (A-85) is to clarify that the serious injury provisions for special reporting apply only to patron injury or death. This is consistent with the ASTM standards for amusement devices. The fourth change (A-200-a) is to establish a yearly inspection for small inflatable amusement rides to alleviate the problems with permitting and weekend setup. A change to exempt inflatables altogether (Code Change No. A-200-b, found behind A-200-a) was considered by ADTAC and did not receive any support since there are many hazards associated with inflatable amusement devices, especially the larger ones. The fifth change is to clarify language approved for artificial climbing walls in the proposed VADR to assure the wire ropes do not exceed their expiration date during the approval period.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.virginia.gov		Document No. <u>A-40-a</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Amusement Device Technical Advisory Committee

Address: _____ Phone No. _____

Regulation Title: Va. Amuse. Device Regs. (VADR) Section No: 13 VAC 5-31-40

Proposed Change:

Update to newer standard for inflatable devices as follows (changes shown between brackets):

13 VAC 5-31-40. Incorporated standards.

A. The following standards are hereby incorporated by reference for use as part of this chapter:

1. American National Standards Institute (ANSI) Standard No. ~~B77.1-1999~~ B77.1-2006 for the regulation of passenger tramways; and
2. American Society for Testing and Materials (ASTM) Standard Nos. F 698 – 94 (Reapproved 2000), ~~F747-97~~ F 747 – 06 , ~~F770-93~~ (2000) F 770 – 06a , F 846 – 92 (Reapproved 2003), ~~F853-04~~ F 853 – 05 , ~~F893-04~~ F 893 – 05a , F 1159 – 03a, ~~F1193-04~~ F 1193 – 06 , F 1305 – 94 (Reapproved 2002), F 1950 – 99, F 1957 – 99 (Reapproved 2004) , ~~F2007-00~~ F 2007 – 06 , ~~F2137-01~~ F 2137 – 04 , ~~F2291-04~~ F 2291 – 06a and ~~F2374-04~~ , [F 2374 – 06 F 2374 – 07a] and F 2376 – 06 for the regulation of amusement devices.

Supporting Statement:

The Amusement Device Technical Advisory Committee recommends the newest available standard for inflatable amusement devices. At the time of the proposed regulations, the 07a standard was not available.

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.virginia.gov		Document No. <u>A-40-b</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Amusement Device Technical Advisory Committee

Address: _____ Phone No. _____

Regulation Title: Va. Amuse. Device Regs. (VADR) Section No: 13 VAC 5-31-40 & Part VIII

Proposed Change:

Add new standard for bumper boats to proposed regulations as follows (changes shown between brackets):

13 VAC 5-31-40. Incorporated standards.

A. The following standards are hereby incorporated by reference for use as part of this chapter:

1. American National Standards Institute (ANSI) Standard No. ~~B77.1-1999~~ B77.1-2006 for the regulation of passenger tramways; and
2. American Society for Testing and Materials (ASTM) Standard Nos. F 698 – 94 (Reapproved 2000), ~~F747-97~~ F 747 – 06 , ~~F770-93~~ (2000) F 770 – 06a , F 846 – 92 (Reapproved 2003), ~~F853-04~~ F 853 – 05 , ~~F893-04~~ F 893 – 05a , F 1159 – 03a, ~~F1193-04~~ F 1193 – 06 , F 1305 – 94 (Reapproved 2002), F 1950 – 99, F 1957 – 99 (Reapproved 2004) , ~~F2007-00~~ F 2007 – 06 , ~~F2137-04~~ F 2137 – 04 , ~~F2291-04~~ F 2291 – 06a and ~~F2374-04~~ , F 2374 – 06 [and ,] F 2376 – 06 [and F 2460] for the regulation of amusement devices.

Add new part for bumper boats to proposed regulations as follows (changes shown between brackets):

PART VIII.
[BUNGEE JUMPING BUMPER BOATS] .

[13 VAC 5-31-215. General Requirements.

In addition to other applicable requirements of this chapter, bumper boats shall be operated, maintained and inspected in accordance with ASTM F 2460.

PART IX.
BUNGEE JUMPING.]

Supporting Statement:

The Amusement Device Technical Advisory Committee recommends the addition of a newly developed standard for bumper boats and establishing a new part of the regulation for bumper boats to reference the new standard.

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to:

DHCD, The Jackson Center
501 North Second Street
Richmond, VA 23219-1321

Tel. No. (804) 371 - 7150
Fax No. (804) 371 - 7092
Email: bhcd@dhcd.virginia.gov

Document No. 4-85

Committee Action: _____

BHCD Action: _____

Submitted by: Amusement Device Technical Advisory Committee

Address: _____ Phone No. _____

Regulation Title: Va. Amuse. Device Regs. (VADR) Section No: 13 VAC 5-31-85

Proposed Change:

Modify the proposed regulation to clarify that the serious injury or death provisions relate to patrons, not employees, as follows (changes shown between brackets):

13 VAC 5-31-85. Accidents involving serious injury or death.

A. If an accident involving [the] serious injury or death [of a patron] occurs, the operation of an amusement device shall cease and the local building department shall be notified as soon as practicable, but in no case later than during the next working day. The operation of the device shall not resume until inspected by a private inspector or an inspector from the local building department, except where the owner or operator determines the cause was not related to malfunction or improper operation of the amusement device.

Supporting Statement:

The Amusement Device Technical Advisory Committee recommends this clarification to align the regulations with the ASTM standards, which clearly only address patron accidents. Accidents involving employees are covered by federal and state occupational safety standards.

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to: DHCD, The Jackson Center 501 North Second Street Richmond, VA 23219-1321 Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.virginia.gov		Document No. <u>A-200-a</u> Committee Action: _____ BHCD Action: _____
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Submitted by: Amusement Device Technical Advisory Committee

Address: _____ Phone No. _____

Regulation Title: Va. Amuse. Device Regs. (VADR) Section No: Part VI and 13 VAC 5-31-200

Proposed Change:

Add new provision for inflatable amusement devices to proposed regulations as follows (changes shown between brackets):

~~PART VII.~~ PART VI.
INFLATABLE AMUSEMENT DEVICES.

13 VAC 5-31-200. General Requirements.

In addition to other applicable of this chapter, inflatable amusement devices shall be operated, maintained and inspected in accordance with ASTM F 2374.

[Notwithstanding any requirements of this chapter to the contrary, a permit to operate an inflatable amusement device which is less than 150 square feet and in which the height of the patron containment area is less than 10 feet need not be obtained if the device has an unexpired certificate of inspection issued by a local building department in this Commonwealth, regardless of whether the device has been disassembled or moved to a new site.]

Supporting Statement:

The Amusement Device Technical Advisory Committee recommends the yearly inspection of small inflatable amusement devices due to the impracticality of performing inspections on these devices at every set up. The new provisions are similar to the already existing provisions for kiddie rides. The committee will continue to monitor the safety of these amusement devices and will also be considering whether a similar exemption should be developed for larger inflatable amusement devices.

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT REGULATORY CHANGE FORM

(Use this form to submit changes to building and fire codes)

<p>Address to submit to:</p> <p>DHCD, the Jackson Center 501 North Second Street Richmond, VA 23219-1321</p> <p>Tel. No. (804) 371 – 7150 Fax No. (804) 371 – 7092 Email: bhcd@dhcd.state.va.us</p>		<p>Document No. <u>A-200-b</u></p> <p>Committee Action: _____</p> <p>BHCD Action: _____</p>						
<table><tr><td>Submitted by: Raymond Rinaldi</td><td>Representing: Loudoun County</td></tr><tr><td>Address: 1 Harrison St SE Leesburg, VA 20177</td><td>Phone No.: 703-771-5449</td></tr><tr><td>Regulation Title: Virginia Amusement Device Regulation</td><td>Section No(s): 13 VAC 5-31-200</td></tr></table>			Submitted by: Raymond Rinaldi	Representing: Loudoun County	Address: 1 Harrison St SE Leesburg, VA 20177	Phone No.: 703-771-5449	Regulation Title: Virginia Amusement Device Regulation	Section No(s): 13 VAC 5-31-200
Submitted by: Raymond Rinaldi	Representing: Loudoun County							
Address: 1 Harrison St SE Leesburg, VA 20177	Phone No.: 703-771-5449							
Regulation Title: Virginia Amusement Device Regulation	Section No(s): 13 VAC 5-31-200							
<p>Proposed Change: Delete</p>								
<p>Supporting Statement: This is a difficult regulation to enforce. Inflatable amusement devices can be purchased at retail stores by any person. Often times these devices are only set up for a short period of time (a few hours). It is difficult for a locality to provide staff to inspect every inflatable amusement device that is setup at church picnics, block parties and similar events. Most of the time these devices are setup and used without knowledge of the locality. Therefore, it is all but impossible for the locality to locate every device being used and enforce this code.</p>								

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CODE CHANGE FORM**

Address to submit to:

DHCD, The Jackson Center
501 North Second Street
Richmond, VA 23219-1321

Tel. No. (804) 371 - 7150
Fax No. (804) 371 - 7092
Email: bhcd@dhcd.virginia.gov

Document No. A-210

Committee Action: _____

BHCD Action: _____

Submitted by: Amusement Device Technical Advisory Committee

Address: _____ Phone No. _____

Regulation Title: Va. Amuse. Device Regs. (VADR) Section No: 13 VAC 5-31-210

Proposed Change:

Modify the proposed regulation to add a requirement for the expiration date of wire ropes for rock climbing walls as follows (changes shown between brackets):

~~PART VIII. PART VII.~~
ARTIFICIAL CLIMBING WALLS.

13 VAC 5-31-210. General requirements.

In addition to other applicable requirements of this chapter, artificial climbing walls shall be operated, maintained and inspected in accordance with ASTM F1159.

Notwithstanding any requirements of this chapter to the contrary, an artificial climbing wall may be moved, setup and operated without obtaining a permit provided the wall has a valid certificate of inspection issued by a local building department within the prior 90 days [and the expiration date of the wire ropes used with the device does not expire within that 90 day period].

Supporting Statement:

The Amusement Device Technical Advisory Committee recommends this clarification to the code change they submitted for the proposed regulations for rock climbing walls. The clarification will safeguard that wire ropes used for the device must not have an expiration date within the 90 day approval period.

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND FIRE REGULATION

2006 Code Change Cycle – Code Change Evaluation Form

**Virginia Certification Standards
Code Change No. CS-41**

Nature of Change: (text is on code change form)

To change the Virginia Certification Standards to have the Board of Housing and Community Development determine periodic training for certificate holders and to change the criteria for obtaining certifications to more closely match the International Code Council's certification program.

Proponent: Chesterfield County

Staff Comments:

This proposal was received prior to the staff proposal for continuing education (Code Change No. C-105.1.4-a) and requires substantive changes to the Virginia Certification Standards (VCS). As the VCS are required to go through the full regulatory evaluation process to make substantive changes, in this code change cycle staff recommended only editorial changes to that regulation and is utilizing a fast-track process, so that the effective date of the 2006 VCS can coincide with the effective date of the other building and fire regulations. This change would require the initiation of a new regulatory cycle for which the final regulations would not be able to have an effective date earlier than the spring of 2009. Staff suggests that these issues be carried over to the 2009 code change cycle, in which the 2009 building and fire regulations could possibly become effective in mid- to late 2010.

Codes and Standards Committee Action:

_____ Approve as presented.

_____ Disapprove.

_____ Approve as modified (specify):

_____ Carry over to next cycle.

_____ Other (specify):

(Use this form to submit changes to building and fire codes)

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D. For further information on BHCD certification categories and required training, contact: DHCD, Division of Building and Fire Regulation, 501 N. 2nd St., Richmond, Virginia 23219, (804) 371-7180

13 VAC 5-21-45. Alternatives to examination and training requirements

- A. An applicant for a BHCD certificate with the written endorsement or documentation required by 13 VAC 5-21-31 may submit a written request to DHCD to approve an equivalent examination by a testing agency not on the list of approved testing agencies maintained by DHCD to satisfy the examination requirements of 13 VAC 5-21-31. DHCD may request the assistance of BCAAC in such consideration.

Upon written application by any applicant for a BHCD certificate, DHCD may approve alternative training or a combination of training, education or experience to satisfy the training requirements of 13 VAC 5-21-41, provided that such alternatives or combinations are determined to be equivalent to that required. However, as provided in 13 VAC 5-21-41, no substitutions shall be approved for the code academy core module. The types of combinations of education and experience may include **but is not limited to**, military training, college classes, technical schools or long term work experiences, except that long term work experiences shall not be approved as the sole substitute to satisfy the training requirements. DHCD may request the assistance of BCAAC in any such consideration.

Supporting Statement:

This code change is intended to incorporate continuing education(periodic training) as part of the maintenance of certification requirements. For a number of years the VUSBC has required periodic training as determined by DHCD. The change proposed would incorporate the periodic training requirement but the determining entity would be the Board of Housing and Community Development based on recommendations from BCAAC and DHCD staff. Additionally with periodic training requirements, the minimum requirements for certification have been modified, and the entire process will be more consistent with the ICC requirements. There is corresponding proposed changes to the VUSBC periodic training sections which will make both the VUSBC and the Certification Standards consistent.

(Use this form to submit changes to building and fire codes).

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